

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Robert L. Popp, et al. Art Unit 3761  
Serial No. 10/036,573  
Filed December 31, 2001  
Confirmation No. 4042  
For MECHANICAL FASTENING SYSTEM FOR AN ABSORBENT ARTICLE  
Examiner Karin M. Reichle

October 22, 2008

Mail Stop 16  
Director of the US Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR REFUND**

Applicants respectfully request a refund in the amount of \$2230 for the 5-month extension of time fee to deposit account number 01-2384.

On September 5, 2008, Applicant submitted an Amended Appeal Brief together with a request for a 5-month extension of time by EFS authorizing the Commissioner to charge our deposit account 01-2384 in the amount of \$2230 for the 5-month extension of time fee. A copy of the Electronic Patent Application Fee Transmittal and the Electronic Acknowledgment Receipt is attached for your review reflecting the charges posted on September 5, 2008.

The Amended Appeal Brief was submitted in response to a Notification of Non-Compliant Appeal Brief mailed on March 7, 2008 to Applicants' correspondence address, which is Applicants' representatives address. However, Applicants' representative

never received the Notification. Accordingly, Applicants' representative learned of the existence of the Notification during a check of the status of the above-identified Application on PAIR on September 4, 2008. Applicants' representative then diligently and promptly prepared and filed the Amended Appeal Brief on September 5, 2008.

Had the Notification been received, Applicants' representative would have promptly prepared and filed the Amended Appeal Brief within one month of the Notification's mailing date and the 5-month extension of time fee would not have been required.

The statements presented above are believed to be true to the best of the undersigned's knowledge.

The Commissioner is hereby requested to credit Deposit Account number 01-2384 in the amount of \$2230 for the 5-month extension of time fee. (A duplicate copy of this request is enclosed.)

Respectfully submitted,



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RLB/AGH  
Via EFS